

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
NORTHEASTERN DIVISION

United States of America, )  
                            )  
                            Plaintiff, )  
                            )        No. 2:99-cr-34-02  
vs.                       )  
                            )  
Randy Calvin Denne     )  
                            )  
                            Defendant. )

**ORDER ADOPTING REPORT AND RECOMMENDATION**

On February 13, 2006, the supervising probation officer filed a petition alleging a violation of supervised release (doc. #127). As provided in 18 U.S.C. § 3401(i), the Court designated the Honorable Alice R. Senechal, United States Magistrate Judge, to conduct hearings and submit proposed findings of fact and recommendations on the matter. A hearing before the Magistrate Judge was held on November 9, 2006.

Before the Court is a Report and Recommendation from the Magistrate Judge, recommending this Court find the Defendant violated conditions of his supervised release (doc. #137). Upon review of these items and the entire file, the Court finds the Magistrate Judge's Recommendations correct and hereby adopts the Report and Recommendation. The Court thus **FINDS** that a violation of supervised release has occurred as alleged in the petition.

Based upon the Magistrate Judge's Recommendations, **IT IS ORDERED** that the Defendant's supervised release is revoked and

that the Defendant be incarcerated through February 7, 2007. The Court recommends to the Federal Bureau of Prisons that the Defendant be allowed to serve his incarceration at Lake Region Law Enforcement Center so that he may be close to family. At the completion of this term of incarceration, no term of supervised release is ordered. The remaining unpaid restitution from the original sentence remains in effect.

**IT IS SO ORDERED.**

Dated this 1st day of December, 2006.

  
RODNEY S. WEBB, District Judge  
United States District Court